

### **REMARKS**

Claims 1-28 are now pending in the application. Minor amendments have been made to claims 14 and 16 to simply correct a typographical error. Claims 1 and 12 have been amended. Support for the claim amendments can be found in the written description, drawings, and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 101**

Claims 1-11 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. This rejection has been accommodated by amending claim 1 to recite that the system comprises “a transaction processor” and “a portion of at least one of the image recognition module, the validation module and the balancing module are embodied on a computer readable medium.” Claims 2-11 ultimately depend from claim 1 and are therefore statutory subject matter for at least similar reasons.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-5 and 7-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shah (U.S. Pat. No. 6,129,273) in view of Elischer (U.S. Pat. No. 5,040,226). Claims 25-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shah and Elischer in view of Hamaguchi (U.S. Pat. No. 4,734,859). These rejections are respectfully traversed.

The subject matter recited in the claims is directed to a system and method which expedites the processing of a financial transaction by enabling validation and balancing of the transaction at the point of presentment. The claimed system and method provides for validation of the items in a transaction and the opportunity to correct an otherwise invalid item by correcting the validity characteristic of the item at the point of presentment. The claimed system and method also provides for balancing of the transaction and the opportunity to correct an otherwise out-of-balance transaction by again correcting the validity characteristic of the item at the point of presentment.

To this end, the claimed system and method not only perform the validity and balance analysis but also aid in the correction of an invalid item or out-of-balance transaction. For example, as recited in claim 1, the system is configured to “accept the item record if the validation characteristic is valid, or to reject the item record, issue a message identifying an invalid validation characteristic and request correction if the validation characteristic is not valid.” The system is also configured to “accept the transaction if it is balanced, or to reject the transaction, issue a message identifying an out-of-balance condition and request a corrective action if the transaction is not balanced.” Similar limitations are recited in the method of claim 12. As a result, the claimed system and method assist a bank teller (or other operator at the point of presentment) in the compilation and posting of a valid and balanced transaction.

As the Examiner has recognized, Shah is silent with respect to determining whether the transaction is balanced. Office Action, p 5. Shah also does not teach or suggest a system which requests correction of an otherwise invalid transaction. As further noted by the Examiner, “Shah is directed to a machine for performing a

completely automated service, and does not appear to contemplate assisting a teller..." Office Action, p 21. Therefore, Shah does not teach or suggest a system which assists a teller with the compilation and posting of a valid and balanced transaction.

In rejecting the claims, the Examiner concludes that "[i]t would have been obvious to one having ordinary skill in the art at the time of Applicant's invention to provide the point of presentment system of Shah with the balancing features of Elischler in order to [sic] balance transactions in such a manner as to quickly find and correct unreadable or misread amounts..." Applicants disagree that teachings of Elischler would lead one to modify the system of Shah and arrive at the claimed system. As noted above, Shah is directed to an automated system such that ability to prompt for corrective action has no application. Moreover, neither Shah nor Elischler teach or suggest the ability to correct an invalid item. At most, Shah teaches that an invalid item is rejected.

For at least these reasons, Applicants respectfully submit that claims 1 and 12 define over the art of record. Claims 2-5, 7-11, and 13-24 ultimately depend from claims 1 or 12 and are therefore in condition for allowance for at least similar reasons.

Claims 25-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shah and Elischer in view of Hamaguchi. Hamaguchi does not correct the deficiencies of Shah and Elischer with respect to claim 12. Claims 25-28 ultimately depend from claim 12 and are therefore in condition for allowance for at least similar reasons.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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